

## REMARKS

Claims 32-36 are pending for consideration. In view of the following remarks, Applicant respectfully solicits withdrawal of the rejections and forwarding of the application on to issuance.

### Examiner Interview

Applicant wishes to sincerely thank Examiner Fletcher for the time that the Examiner spent on the telephone on September 8, 2005. During that interview, the Adachi reference was discussed as were the outstanding rejections. Examiner Fletcher indicated that a claim clarification would remove Adachi as a reference. Applicant thanks the Examiner for the Examiner's time and guidance.

### The § 101 Rejections

Claims 32-36 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant has amended claim 32 to recite that the calculated represented times are associated with respective media samples, as indicated above.

Examiner Fletcher indicated that such a clarification would remove the § 101 rejection. Again, Applicant thanks the Examiner for the Examiner's guidance.

### The § 102 Rejections

Claims 32-36 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,091,899 to Adachi et al. (hereinafter "Adachi").

**Claim 32** has been amended and, as amended, recites a method of processing media samples comprising [added language appears in bold italics]:

- providing one or more media samples individual ones of which have a timecode; and
- calculating a represented time associated with one or more of the media samples in accordance with the following equation:
  - $time = x + (\text{frame count} * \text{UPF} + \text{offset}) / \text{UPS}$ , where:
  - $x$  is a measure of time associated with the media sample and ascertained from the media sample's timecode;
  - "frame count" is a value associated with a frame number of the media sample;
  - "UPF" comprises a number of basic units of time to be added for each field count increment;
  - "offset" specifies a difference between the time represented by the timecode associated with the media sample and a represented time, *wherein said offset is selected as a function of true frame rate*; and
  - "UPS" comprises a number of basic units of time in a timebase per unit of time; and
- *associating calculated represented times with respective media samples to provide a reduced-drift time value associated with individual media samples.*

Responsive to the guidance provided by Examiner Fletcher, this claim has been amended to clarify the offset parameter that is employed in the claim. Adachi neither discloses nor suggests any such offset parameter, as both Applicant and Examiner Fletcher agree. Accordingly, this claim is allowable.

**Claims 33-36 are allowable as depending from an allowable base claim.**

## **Conclusion**

Applicant submits that all of the claims are in condition for allowance and respectfully requests a Notice of Allowability be issued forthwith. If the Office's next anticipated action is to be anything other than issuance of a Notice of

1 Allowability, Applicant respectfully requests a telephone call for the purpose of  
2 scheduling an interview.  
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6 Dated: 9/23/05

Respectfully Submitted,

By: 

Lance R. Sadler  
Reg. No. 38,605  
(509) 324-9256 ext. 226